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*Attorneys for City of Reno, Kyle Meseberg,*  
6 *Kelly Gannon, Tim Broadway, Jet Utter,*  
7 *and Eric Schlesener*

8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 FAWN PHIBBS,

Case No.: 3:11-CV-00168-  
HDM-VPC

11 Plaintiff,

12 vs.

13 Officer KYLE MESEBERG, individually and in his  
official capacity as an Officer with the Reno Police  
14 Department (RPD); Officer KELLEY GANNON,  
15 individually and in his official capacity as an Officer  
with the Reno Police Department (RPD); Officer TIM  
16 BROADWAY, individually and in his official capacity  
as an Officer with the Reno Police Department (RPD);  
17 Officer JET UTTER, individually and in his official  
capacity as an Officer with the Reno Police Department  
18 (RPD); Officer ERIC SCHLESENER, individually and  
19 in his official capacity as an Officer with the Reno  
Police Department (RPD); CITY OF RENO by and  
20 through its POLICE DEPARTMENT, a political  
subdivision of the STATE OF NEVADA; John Does 1  
21 through 15, inclusive; BLACK & WHITE  
22 CORPORATIONS 1 through 15, inclusive; or RED  
AND WHITE MUNICIPAL ENTITIES 1 through 15,  
23 inclusive,

24 Defendants. /

25  
26 **DEFENDANTS CITY OF RENO, KYLE MESEBERG, KELLY GANNON, TIM**  
27 **BROADWAY, JET UTTER, AND ERIC SCHLESENER'S OBJECTIONS TO**  
28 **PLAINTIFF'S RULE 26 DISCLOSURES**

COMES NOW, Defendants CITY OF RENO, KYLE MESEBERG, KELLY GANNON, TIM BROADWAY, JET UTTER, and ERIC SCHLESENER, (hereinafter CITY OF RENO), by and through their attorneys, JOHN J. KADLIC, Reno City Attorney and JACK D. CAMPBELL, Deputy Reno City Attorney, hereby object pursuant to Fed. R. Civ. Pro. 26(a)(3)(B) to Plaintiff's Initial Rule 26 disclosures as follows:

1. Plaintiff has not provided the computation of each category of damages claimed as required by Fed. R. Civ. Pro. 26(a)(1)(A)(iii).
2. Defendant's object to the admissibility of the following medical records identified by Plaintiff because they appear incomplete and lack Custodian of Records certification as required by FRE. 902(11)
 

a. Order regarding Mr. Brain	FP00107
b. Northern Nevada Adult Mental Health Records	FP0108-FP0186
c. Work Capacity Evaluation	FP0187-0205
d. Renown Medical Center Records	FP0206-FP0443
3. Defendant's further object to records FP0141-FP0159 because the copies provided to Defendants have been miscopied and don't present all information contained in the documents. Accordingly these documents do not meet the requirement of FRE1001(4).
4. Defendants object to witnesses number 33 and 34 identified in Plaintiff's Rule 26 Disclosures because they are not properly identified. Rule 26(1)(a)(i) specifically states that each party is to identify the subject of the discoverable information that each witness will contribute to support its claims or defenses. Plaintiff simply states

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1 that the witnesses "will testify as to his/her knowledge of the facts of this case..."

2 Defendants request that Plaintiff supplement these witness identifications as  
3 required by Rule 26.

4 DATED this 19<sup>th</sup> day of May, 2011.

5 JOHN J. KADLIC  
6 Reno City Attorney

7  
8 By: 

9 JACK D. CAMPBELL

10 Deputy City Attorney

11 Nevada State #4938

12 Post Office Box 1900

13 Reno, Nevada 89505

14 (775) 334-2050

15 *Attorneys for City of Reno,*

16 *Kyle Meseberg, Kelly Gannon,*

17 *Tim Broadway, Jet Utter,*

18 *and Eric Schlesener*

**CERTIFICATE OF SERVICE**

Pursuant to FRCP 5(b), I certify that I am an employee of the RENO CITY ATTORNEY'S OFFICE, and that on this date, I am serving the foregoing document(s) on the party(s) set forth below by:

\_\_\_\_\_ Placing an original or true copy thereof in a sealed envelope placed for collection and mailing in the United States Mail, at Reno, Nevada, postage prepaid, following ordinary business practices.

\_\_\_\_\_ Personal delivery.

  X   CM/ECF electronic service

\_\_\_\_\_ Facsimile (FAX).

\_\_\_\_\_ Federal Express or other overnight delivery.

\_\_\_\_\_ Reno/Carson Messenger Service.

addressed as follows:

Marc Picker, Esq.  
Angela Lightener, Esq.  
Marc Picker, Esq., LTD.  
PO Box 3344  
Reno NV 89505-3344  
*Attorneys for Plaintiff*

DATED this 19<sup>th</sup> day of May, 2011.

  
\_\_\_\_\_  
Tamme Sutton  
Senior Legal Assistant